



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

LEGISLATIVE LIAISON
84-2811

SPECIAL

August 1, 1984

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer

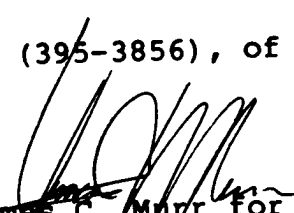
Department of the Treasury - Carole Toth (566-8523)
National Security Council
Department of Commerce - Mike Levitt (377-4264)
Department of Justice - Jack Perkins (633-2113)
Department of Defense - Werner Windus (697-1305)
Department of Transportation - John Collins (426-4694)
Central Intelligence Agency

SUBJECT: State Department draft bill on the Basic Authorities Act.
(Note: The State Department is considering offering this bill as a substitute for H.R. 5613, a bill concerning prohibitions against training or support of terrorist organizations, as transmitted to Congress by the President on April 26, 1984.)

The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

Please provide us with your views no later than August 3, 1984.
NOTE: A hearing on H.R. 5613 is scheduled for 8/7/84.

Direct your questions to Gregory Jones (395-3856), of this office.


James C. Murr for
Assistant Director for
Legislative Reference

Enclosures

cc: D. Spevacek
J. MacRae
A. Curtis
R. Neely
T. Lawler

COMPLETED

6 Aug

AUTHORITY TO CONTROL PROVISION OF CERTAIN SERVICES

SEC. _____. The State Department Basic Authorities Act is amended by adding thereto the following new section to follow section _____:

"SEC. _____. Provision of Certain Services.--

"(a) In addition to the authorities granted in other provisions of law, the President is authorized to control by regulation the following acts, in the circumstances described in subsection (b) of this section, when he determines that the threat posed by acts or likely acts of international terrorism to United States persons or property or to the national security or foreign policy interests of the United States, warrant such controls.--

"(1) serving in or with a foreign armed entity;

"(2) providing any training, logistical, mechanical, maintenance, or technical services, of types specified by regulation, to or for a foreign armed entity; and

"(3) recruiting or soliciting others to provide the services described in subsections (a)(1) or (a)(2) of this section.

The President is authorized to require licenses for this purpose, which may be revoked, suspended or amended, without prior notice, whenever such action is deemed to be advisable.

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"(b) The provisions of subsection (a) of this section shall apply --

"(1) in the case of a United States person, to such services provided anywhere in the world; and

"(2) in the case of any other individual or entity, to such services provided within the United States (including any area under its territorial sovereignty).

"(c) As used in this section --

"(1) the term 'foreign armed entity' means:

(A) any military or paramilitary forces, any police or other law enforcement agency, and any intelligence agency of a foreign government; or

(B) any organized group, not otherwise included under paragraph (c)(1)(A) of this section, that is composed wholly or primarily of foreign nationals or that operates wholly or primarily outside United States territory, and that systematically engages in the use of armed force for political ends;

"(2) the term 'United States person' means any United States national or permanent resident alien, or any sole proprietorship, partnership, company, association or corporation organized under the laws of or having its principal place of business within the United States, any State, the District of Columbia, Puerto Rico, the Northern Mariana Islands, or any territory or possession of the United States.

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"(d) Whoever willfully violates any rule or regulation issued under this section shall be fined not more than \$100,000 or five times the total compensation received for the conduct which constitutes the violation, whichever is greater, or imprisoned for not more than ten years, or both, for each such offense.

"(e)(1) Not less than 30 days prior to issuing any regulations under this section (including any amendments thereto), the President shall transmit the proposed regulations to the Congress.

"(2) Not less than once every 180 days, the President shall report to the Congress concerning the number and character of licenses granted and denied during the previous reporting period, and such other information as he may find to be relevant to the accomplishment of the objectives of this section."